

REMARKS/ARGUMENTS

Claim Amendments

The Applicant has amended claims 25 and 30 -37. Applicant respectfully submits no new matter has been added. Accordingly, claims 17-37 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

Examiner Objections - Claims

Claims 25 and 30-37 were objected to because of informalities. The Applicant appreciates the Examiner's thorough review of the claims. The Applicant has amended the claims as suggested by the Examiner in order to correct the informalities. The Examiner's consideration of the amended claims is respectfully requested.

Claim Rejections – 35 U.S.C. § 103 (a)

Claims 17-37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ho et al. (hereinafter Ho) (US 6,091,953) in view of Naqvi et al (hereinafter Naqvi (US 6,850,763 B1). The Applicant respectfully traverses the rejection of these claims.

The Ho reference is cited for disclosing dynamic allocation of a circuit pathway and for a dispatching switch allegedly reading on the Applicant's claimed media gateway (MGW). The Applicant respectfully disagrees that the dispatching switch of the Ho reference reads on the Applicant's Media Gateway. The "dispatching switch" as described in the Ho reference, is a message router with a switch processing core and address table (Col. 10, lines 27-36). The accepted definition of a media gateway function is one that "terminates media streams from Switched Circuit Networks, packetizes the data in IP packets and delivers the packets to the IP based packet network" (Newton's Telecom Dictionary 17th Updated and Expanded Edition). The purpose of the "dispatching switch" as stated in the Ho reference is to route communications between the BSS and the MSCs. In an alternate embodiment disclosed in the Ho reference, the dispatching switch may actually carry traffic (Col. 8,

lines 6-10). However, 1) there must only be one network involved and 2) there is no media stream termination or packetizing functions provided by the "dispatching switch."

Additionally, Ho discloses message routers (1718) and/or dispatching switches that are alleged in the Detailed Action to provide the same function as the media gateway selection node (MGWSN) of the Applicant's invention. Upon review of the cited portions (col. 21, lines 7-18; col. 18, lines 36-41. Figs. 1, 14, 17) of the Ho reference, the Applicant respectfully submits that the message routers route *signaling* messages between BSC's and multi-service network (1712) not data. The user traffic is carried by a separate connection (col. 7, lines 62-65).

The Detailed Action compares the plurality of Media Gateways to multiple message routers. Message routers do not have the same function as a Media Gateway so, the comparison is faulty. The alternate comparison by the Examiner of dispatching switches to the Media Gateway is also faulty since the function of the dispatching switch are different. Also, the embodiment in Figure 17 is restricted to message routers and the dispatching switch is not disclosed as operating in that embodiment, only message routers. .

As disclosed in the Applicant's invention, each circuit pathway typically has an associated Circuit Identity Code (CIC) stored in the MGWSDB. Upon request from one MSC in of a pool of MSCs, the MGWSN selects an available circuit pathway to a mobile unit that is coupled with a particular (target) base station. The circuit pathway, identified by a unique CIC, includes the BSC and a connecting Media Gateway (MGW). The MGWSN returns the identity of the MGW and the CIC, to the requesting MSC. Using the available circuit pathway identified by the CIC, a connection is made from the requesting MSC to the selected MGW and to the requested BSC. (Page 7-8, para. 23). The purpose and focus of the Applicant's invention is to eliminate the need for dedicated circuit pathways between BSCs and MSCs.

The Ho reference does not disclose a CIC for identifying an available circuit pathway. In the Applicant's disclosure, the MGWSDB is populated with the CIC codes identifying circuit pathways and the current status of each pathway. As noted in the

description of an alternate embodiment in Ho, when the dispatching switch is a message router, the importance of a table or database is negligible and no addressing table is necessary (Col. 6, lines 38-39). In fact, the address table in the dispatching switch is merely a reflection of the address tables in the VLR and the HLR, not circuit pathways.

As pointed out earlier, Media Gateways are not utilized in the Ho reference and the multiple message routers and/or dispatching switches are providing signaling connections between the MSC and BSC; not data pathways. Therefore, the dispatching switch of the Ho reference cannot be equivalent to the media gateway of the Applicant's invention.

Regarding the cite of Naqvi as disclosing the elements of the Applicant's invention: in order for the Naqvi reference to be a valid reference here, there must be a suggestion or motivation to combine the reference teachings. The Ho reference is cited for disclosing a method of dynamic allocation of a circuit pathway. The Detailed Action cites Naqvi (col. 13, line 66- col. 14, line 3) as including CIC codes. The cited portion of Naqvi discusses bearer circuits that are identified by CIC. However, the CIC database that Naqvi Naqvi does not disclose a database in a Media Gateway in which the circuit pathways are identified by a CIC code. Furthermore, the CIC codes are accessed in the CIC database in the MSC (Col. 14, lines 25-30). The Applicant respectfully asserts that there is no suggestion or teaching in either Ho or Naqvi to associate CIC codes with circuit pathways in a Media Gateway Database.

The Applicant respectfully submits that the Applicant's invention, as disclosed and claimed by the present application is not rendered obvious by either of the cited references, individually or in combination. Moreover, the steps of: consulting a MWGSDB for an available pathway between a switch and an access node, identifying a target access node and associated CIC and then sending the identity of a selected MGW and the CIC to the requesting switch are not disclosed or taught anywhere in the cited references. This being the case, the Applicant respectfully requests the withdrawal of the rejection of claim 17 and the respective dependent claims.

The applicant respectfully submits that the limitations recited in claims 25 and 30 are analogous to the limitations recited in claim 17. Thus, claims 25 and 30 and all claims dependent therefrom are distinguishable from the Ho and Naqvi references and a withdrawal of the rejection of these claims is respectfully requested

CONCLUSION

In view of the foregoing remarks, the Applicant believes all of the claims currently pending in the Application to be in a condition for allowance. The Applicant, therefore, respectfully requests that the Examiner withdraw all rejections and issue a Notice of Allowance for all pending claims.

The Applicant requests a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Sidney L. Weatherford".

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